



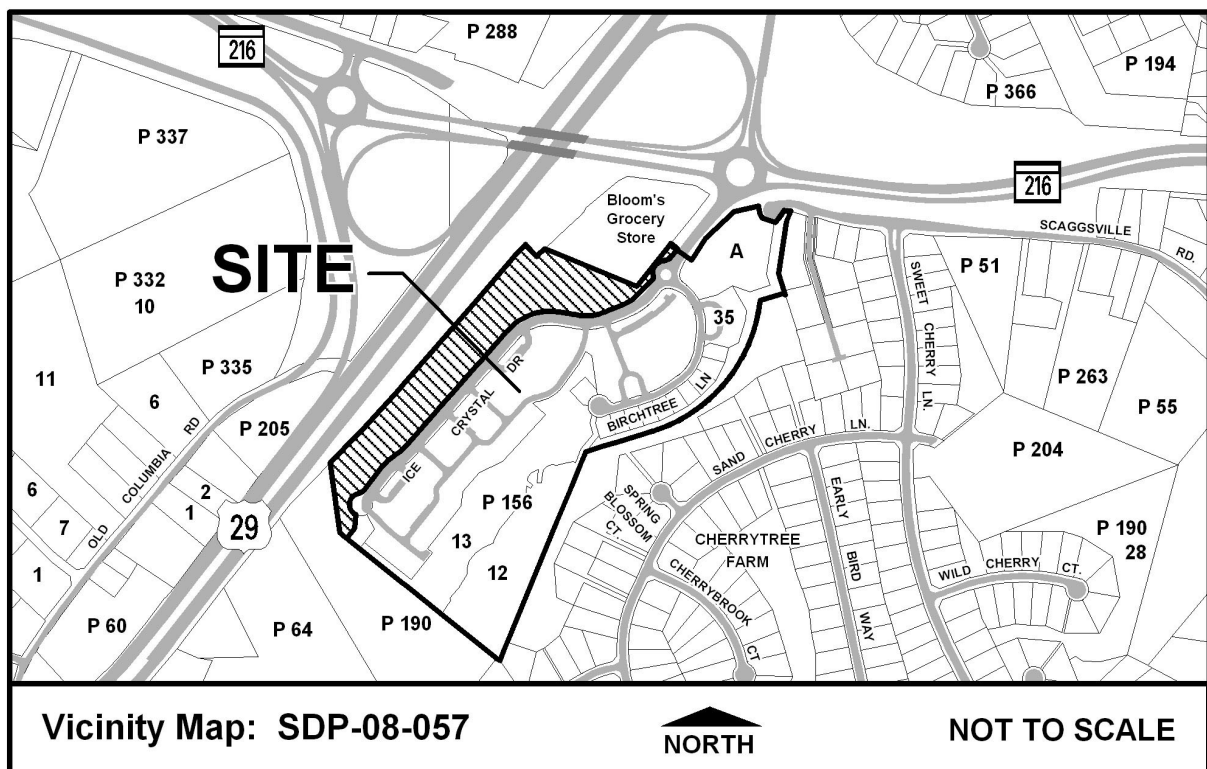
TECHNICAL STAFF REPORT
CHERRYTREE PARK
Planning Board Meeting of July 17, 2008

File No./Petitioner: SDP- 08- 57, Ice Crystal, LLC

Project Name: Cherrytree Park, Bulk Parcel "I", Phases 1 and 2, Age Restricted Adult Housing Units, Condominium Buildings 1 thru 8

Request: The request is for approval of a site development plan (SDP) for the construction of 8 condominium buildings with 127 age restricted adult housing units, a community center, a small community park (Focal Point) and other related site improvements in accordance with Section 127.F.1 of the Howard County Zoning Regulations. The Planning Board reserved the authority to review and approve site development plans for all development plans for this project in accordance with the Planning Board's Decision and Order dated May 10, 2007 for PB Case No. 379. The project area for this SDP is approximately 8 acres of the 41 acre total tract area for the Cherrytree Park project and is zoned "MXD-6" (Mixed Use Development).

Location: The age restricted adult housing units will be located on the west side of Ice Crystal Drive approximately 1200 feet south of the Scaggsville Road and Maryland Route 216 intersection, identified as part of Parcel 156 on Tax Map 46, Grid No. 4 in the Sixth Election District of Howard County, Maryland.



Vicinal Properties:

The subject site is surrounded by the following:

North Side - To the north is Parcel No. 240, zoned "B-2" (Business-General) and improved with a Blooms grocery store (formerly Food Lion). Also, on the north side is the Maryland Route 216 interchange with U.S. Route 29.

East Side - Located to the east is Ice Crystal Drive and further east is the remaining area of the Cherrytree Park project developed with a total of 160 SFA dwelling units, 10 SFD dwelling units, a bank and a retail/office building constructed under previously approved site development plans.

South Side - Located to the south is an existing 14 acre open space lot within the adjoining Cherrytree Farm subdivision and owned by the Howard County Department of Recreation and Parks.

West Side - Located along the west side of the project is the U.S. Route 29 R/W.

Site History:

- Zoning Board Petition, **ZB Case No. 973M** received approval by the Zoning Board on September 14, 1998 to establish the original PDP and Development Criteria for the 42.41 acre MXD District for the subject property.
- The original Comprehensive Sketch Plan, **SP-00-08** and **Planning Board Case No. 347** for the subject property were approved by the Planning Board on November 29, 2000.
- The Howard County Planning Board held a public hearing for the amended PDP filed under **ZB Case No. 1042M** on June 23, 2005. The Planning Board signed the Decision and Order on July 11, 2005.
- **Zoning Board Case No. 1042M** was approved by the Zoning Board on January 25, 2006 to amend the Preliminary Development Plan and Criteria for the existing approved Mixed Use Development to add 128 age-restricted adult housing units and for a reduction of the previously approved office space from 201,500 square feet to 30,000 square feet.
- **Amended Comprehensive Sketch Plan, SP-06-17, Development Criteria and PB Case No. 379** were approved by the Planning Board on April 12, 2007 and the Decision and Order was signed on May 10, 2007.
- Cherrytree Park is an existing mixed use development previously approved for a total of 170 dwelling units. There were 10 SFD dwelling units and 74 SFA dwelling units developed under Phase 1 per **SDP-02-111**, 32 SFA dwelling units developed under Phase 2 per **SDP-03-52** and 54 SFA dwelling units developed under Phase 3 per **SDP-05-22**. Additionally, a bank and a one-story retail/office building were constructed under **SDP-04-02**.

Site Analysis:

This SDP has been evaluated for compliance with the approved Cherrytree Park Development Criteria and the "MXD-6" Zoning Regulation requirements.

Site Improvements - This SDP proposes the construction of 8 condominium buildings containing a total of 127 age restricted adult housing units, a 2,260 square foot community center contained within Building No. 4, a small community park (Focal Point) and other related site improvements. A total of 166 parking spaces are required for these units (127 units x 1 space each = 127 spaces + 0.3 spaces per unit for overflow and visitors = 39 spaces). A total of 200 new parking spaces are provided on this SDP along with 34 existing parallel parking spaces located along Ice Crystal Drive. The maximum mean height requirement for the

condominium buildings in accordance with the approved Development Criteria is 50 feet high. The proposed condominium buildings have a mean height of approximately 45 feet.

Storm Water Management (SWM) - Storm water management for this project will be provided in an underground SWM facility constructed per this SDP.

Environmental Considerations - There are no environmental features such 100 year flood plain, wetlands, streams or buffers located within the limits of this SDP. All of the existing environmental features (forested areas, intermittent stream and wetlands) and required buffers are protected within recorded Open Space Lot 12 previously dedicated to the Howard County Department of Recreation and Parks. There are no historic structures, cemetery or grave sites located on the subject property. The 65dba noise level from U.S. Route 29 for this site will be mitigated along the western face of the buildings. The noise study for this project was approved by the Development Engineering Division subject to no balconies permitted along the west side of each building.

Landscaping - The Landscape Plan for this project is in compliance with the Howard County Landscape Manual.

Forest Conservation - The forest conservation obligation requirement for this entire "MXD" project (10.18 acres) was previously addressed under the processing of Final Plan, F-01-114.

Adequate Public Facilities - This project previously passed the tests for road adequacy and open schools under the processing and approval of the Comprehensive Sketch Plan, SP-00-08 and the amended CSP, SP-06-17.

Moderate Income Housing Units (MIHU's) - This phase of the project will provide an additional 13 new moderate income housing units. Phase 1 of this project provided 9 MIHU's under SDP-02-111, Phase 2 provided 3 MIHU's under SDP-03-52 and Phase 3 provided 5 MIHU's under SDP-05-22. The Cherrytree Park "MXD" project requires a total of 30 MIHU's per the "MXD" Zoning Regulations (10 % of the total number of dwelling units, 170 existing dwellings + 127 age restricted adult housing units = 297 housing units).

Bonus Density Units - In the "MXD-6" Zoning District, a density bonus of up to 1.25 units per acre is allowed for "Age Restricted Adult Housing Units" which meet all requirements of the "POR" Zoning District in accordance with Section 127.C.6.a of the Zoning Regulations (Council Bill No. 66-2005). The total number of units allowed for this project is 41.078 acres x 6 units per acre = 246 units + 51 bonus units (1.25 x 41.078) = a total of 297 dwelling units for the project (170 existing dwelling units + 127 Age Restricted Adult Housing Units). The bonus density units as proposed under this SDP is consistent with the previously approved ZB Case No. 1042M, PB Case No. 379 and the Amended Comprehensive Sketch Plan, SP-06-17.

Development Criteria - This SDP is in compliance with all bulk requirements such as building setbacks, height, and parking, etc. as required by the approved Cherrytree Park Development Criteria and the Howard County Zoning Regulations.

Planning Board Criteria:

This SDP is in compliance with the five criteria requirements of Section 127.F.2 of the Howard County Zoning Regulations for Planning Board approval of a site development plan as follows:

1. **Is consistent with the approved Preliminary Development Plan (PDP), Comprehensive Sketch Plan (CSP) and Development Criteria.**

The site design for the proposed age restricted adult housing unit condominium buildings and associated site improvements are consistent with the approved PDP, CSP and Development Criteria requirements previously approved for this project.

2. **Satisfies the applicable requirements of Section 127.E.3 (Decision by the Planning Board for the CSP and Development Criteria).**

This SDP satisfies the requirements of Section 127.E.3 of the Zoning Regulations which describes the Planning Board's approval decision of the CSP and the Development Criteria. The Planning Board previously approved the amended CSP, SP-06-17 and the Development Criteria for this project under PB Case No. 379 on May 10, 2007.

3. **Makes effective use of landscaping to provide buffers where needed and to enhance the site design.**

The developer proposes to install landscaping for each of the multi-family buildings at or above what is mandated by the approved PDP, CSP and the Howard County Landscape Manual. Therefore, together with the required streetscape planting along the public streets, the site design for this project will be enhanced with the planting of a variety of shade, flowering ornamental and evergreen trees throughout the project to create an attractive landscaped environment for the community.

4. **Provides squares, plazas or other useable landscaped areas within apartment developments, office developments or focal points.**

This SDP will provide the landscaping and other site amenities including street lighting, street trees and pedestrian sidewalks as part of the development of these condominium units. The main focal point and other useable landscaped areas were provided in accordance with the approved PDP and CSP under previously approved final and site development plans. This SDP will also provide the last remaining "Focal Point Area" with a community park containing a gazebo, park benches, brick paved walks, lamp posts and a variety of landscape plantings.

5. **Implements the pedestrian circulation system for the MXD Use Development.**

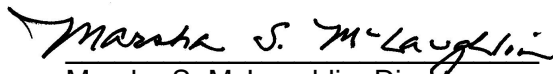
This SDP in conjunction with approved final road construction plans and other approved or future SDP's will provide the pedestrian circulation system including sidewalks, pathways and crosswalks for this project. Sidewalks will be provided on both sides of all public streets adjacent to the proposed condominium buildings and along at least one side of the parking lot areas in accordance with approved final plans and this SDP.

SRC Action:

On June 30, 2008, the Subdivision Review Committee (SRC) determined this SDP may be approved, subject to compliance with their comments. The SRC comments primarily addressed the need to make minor drafting revisions such as completing general notes to the SDP prior to signature approval by DPZ.

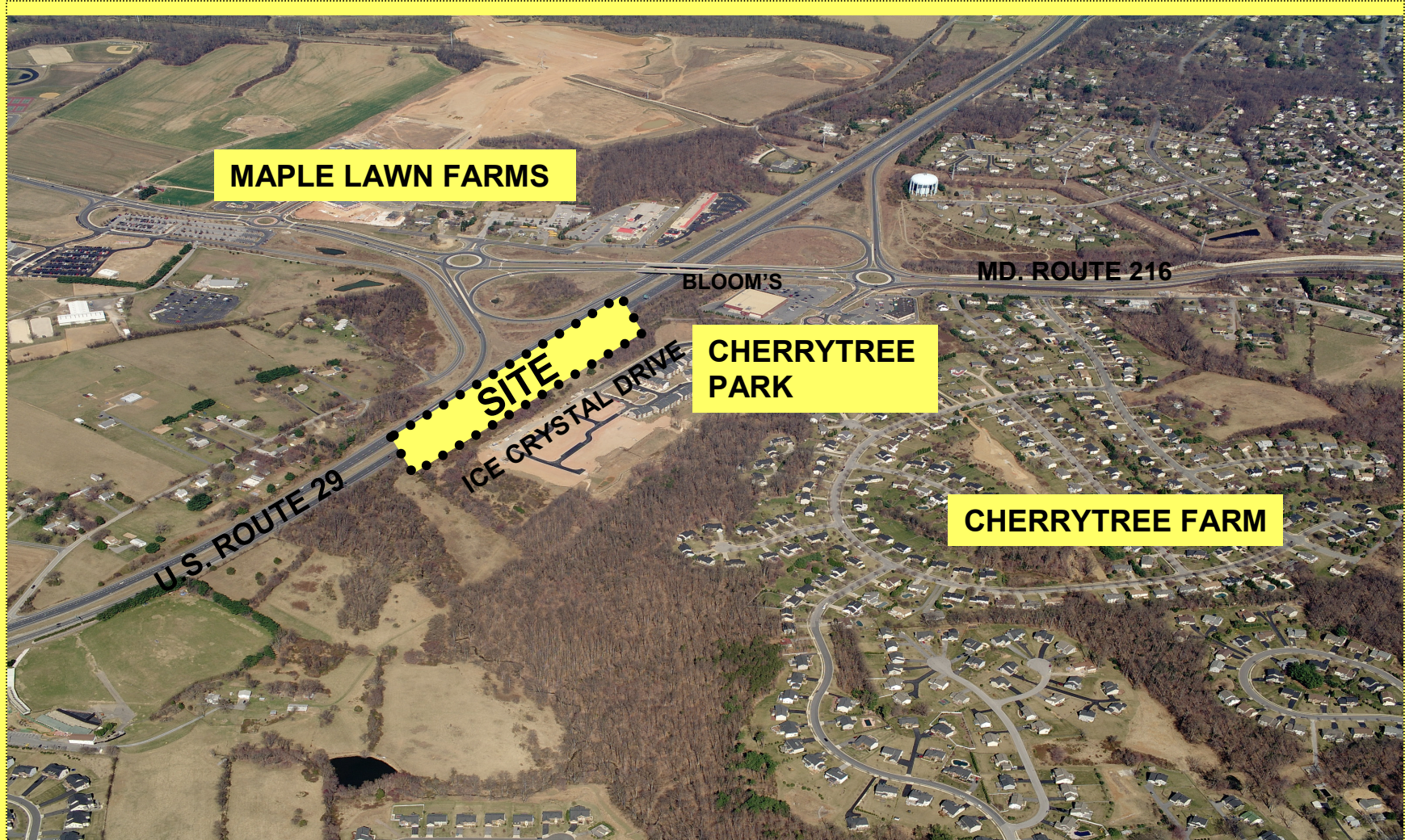
Please note that this file is available for public review at the Department of Planning and Zoning's public service counter, Monday through Friday, 8:00 a.m. to 5:00 p.m.

Recommendation: The Department of Planning and Zoning recommends that the Planning Board approve this SDP, subject to compliance with the SRC agency comments previously issued for SDP-08-57.


Marsha S. McLaughlin, Director
Department of Planning and Zoning

07/08/08
Date

CHERRYTREE PARK AERIAL



This is a detailed site plan for a residential development. The plan shows several building footprints, parking lots, roads, and landscaping. The plan includes a north arrow and various annotations for construction and landscaping. The buildings are arranged in a grid-like pattern, with parking lots interspersed between them. The roads are shown with lane markings and street names. The landscaping includes trees, shrubs, and lawns. The plan is oriented with North at the top.

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SITE EXHIBIT
 ARE RESTRICTED ABOUT HOUSING
CHEARTREE PARK
 CONDOMINIUM BUILDINGS 1, 2 AND 3
 BULK PARCEL 7 & 7-1, PHASES 1 AND 2
 (A) REDEVELOPMENT OF BULK PARCEL 7/1
 2008-2004
 THE MAPS ARE BASED ON THE 20
 SIXTH EDITION AERIAL PHOTOGRAPHY AND
 SCALE 45 50000 DATE JULY 2008
 SHEET 1 OF 1

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BUILDING ELEVATION

